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**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION**

<b>IN RE ONLINE DVD RENTAL          ANTITRUST LITIGATION</b>	<b>Master File No. 4:09-md-2029 PJH</b>  <b>MDL No. 2029</b>  <b>Hon. Phyllis J. Hamilton</b>
<b>This document relates to:</b>  <b>ALL ACTIONS</b>	<b>DECLARATION OF TODD A. SEAYER          IN SUPPORT OF PLAINTIFFS' MOTION          FOR FINAL APPROVAL OF THE WAL-          MART SETTLEMENT</b>

1 I, Todd A. Seaver, declare as follows:

2 1. I am a partner of the in the San Francisco office of Berman DeValerio. I am duly  
3 licensed to practice law in the State of California and before this Court, am a member in good  
4 standing of the State Bar of California, and I am one attorney of record for Plaintiffs in MDL  
5 No. 2029. I submit this declaration in support of Plaintiffs' Reply Memorandum in Support of  
6 Plaintiffs' Motion for Final Approval of Settlement.

7 2. Attached hereto as **Exhibit 1** is a chart that I prepared that catalogues the  
8 materials served or filed as objections to the settlement agreement between Plaintiffs' Wal-Mart  
9 Stores, Inc. and Walmart.com USA LLC.

10 3. Attached hereto as **Exhibit 2** is a true and correct copy of the Walmart Gift Card  
11 Terms and Conditions, which I obtained on February 25, 2012, from the Internet URL  
12 [www.walmart.com/cp/Gift-Cards-Terms-and-Conditions/538430](http://www.walmart.com/cp/Gift-Cards-Terms-and-Conditions/538430) and pasted into Word and PDF  
13 format.

14 4. Attached hereto as **Exhibit 3** is a true and correct copy of the Credit Card  
15 Accountability Responsibility and Disclosure Act of 2009, Pub. L. No. 111-24, 123 Stat. 1734,  
16 1752 (2009).

17 5. Attached hereto as **Exhibit 4** is a state law survey in table form compiled by the  
18 National Conference on State Legislatures (NCSL), which I obtained on February 25, 2012, from  
19 the Internet URL [www.ncsl.org/issues-research/banking/gift-cards-and-certificates-statutes-and-](http://www.ncsl.org/issues-research/banking/gift-cards-and-certificates-statutes-and-legis.aspx#Federal)  
20 [legis.aspx#Federal](http://www.ncsl.org/issues-research/banking/gift-cards-and-certificates-statutes-and-legis.aspx#Federal) and reprinted for inclusion here.

21 I declare under penalty of perjury under the laws of the United States of America that the  
22 foregoing is true and correct.

23 Executed on this 28th day of February, 2012 in San Francisco.

24  
25 s/Todd A. Seaver

26 Todd A. Seaver  
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